

Arlington Redevelopment Board
January 5, 2015 Minutes
Town Hall Annex, Second Floor Conference Room, Town Hall – 7:00pm

Approved: February 4, 2015

PRESENT: Chair, Andrew Bunnell, Mike Cayer, Bruce Fitzsimmons, Andy West

ABSENT:

STAFF: Carol Kowalski

Andrew Bunnell, acting Chair, opened the meeting at 7:00pm. The Board turned to the agenda item of Arlington 360 NPP Fine Discussion with the Arlington Land Trust. The Board introduced Brian Rehrig, representative for Arlington Land Trust.

Ms. Kowalski said that one of the reasons the Board asked Mr. Rehrig to come in was because there were questions over the Symmes Stewardship Fund such as who holds it, who controls it, and how it is set up, since it was an entity suggested to the Board as an option for the fine funds.

Mr. Rehrig stated that the Stewardship Fund was created by the management plan which is the contract among Arlington 360, the Conservation Commission, and Arlington Land Trust by which Arlington 360 is obligated to a set of standards for maintenance of the various areas of the site that are covered by the conservation restriction. Mr. Rehrig summarized the contract for the Board. He stated that part of the process is a forest management plan, which outlines a process by which over many years woods might be evolved towards healthier woodland by removing Norway Maples and planting new trees, which is an expensive process. It will be several years before there is consensus among those groups. There is a desire for a "Friends" group to form, populated with new residents, abutters, and people from around town, but it will require some money and \$30,000 won't go far. It will be spent in a couple of seasons. If there was additional funding, and there was a thought that some of it could be invested in a conservation area, this would be an appropriate place to spend the money from a Land Trust point of view.

Mr. Fitzsimmons stated that since the management plan initially dedicated the funds to this Symmes Street fund, he is okay with allotting the money to this fund. Mr. Fitzsimmons asked about reporting and how the money is being applied.

Mr. Rehrig said that reporting is not required of the Land Trust, but they can report back to the ARB.

Mr. Fitzsimmons requested that the ARB be copied on those reports. Mr. Rehrig agreed that would make sense.

Mr. Fitzsimmons mentioned that the Board was still considering other potential uses for the funds, and asked if they have arrived to one allocation, or group at this time. Ms. Kowalski mentioned that a member of the Symmes Neighborhood Advisory Committee asked if the Board would consider postponing the discussion further to receive a formal request from SNAC.

Mr. Fitzsimmons asked if this request was in regards to the mitigation of the light shining into abutting properties. Ms. Kowalski confirmed.

Ms. Kowalski updated the Board on the status of the light mitigation. She stated that the Arlington 360 photometrics are done and Brightview's are expected to be done tonight. Mike Byrne, Director of Inspectional Services notified Ms. Kowalski that the residential component, the Arlington 360 side of the lighting plan, meets both the 2005 and 2012 photometrics.

Jake Upton, of Upton and Partners, stated that the photometrics for everywhere except for the parcel that Shelter owns have all been submitted, and Shelter has replaced the bulbs in the courtyard. The consultants are going out tonight to verify that the as-built plan is consistent with the plan that they were expecting it to be. Mr. Upton expects confirmation of performance to come through today, and

the formal submission might come through by the end of the week.

Mr. Cayer asked if the street lights pass the photometrics test because they have the shields on them or were they going to pass regardless.

Mr. Upton stated that the bulbs had been reduced in wattage from 400 watts to 200 watts, and the screens stayed in place. There were also a few places with double shields added as well.

Mr. Bunnell stated that he would be comfortable waiting to make a decision in regards to how to use the funds until the ARB meeting following the Master Plan Hearing.

Mr. West mentioned that the allocation of these funds is not remediation of street lights or for the infrastructure of this site. Mr. West said he would rather allocate these funds where they are already helping something that is put in place and doing it well.

Mr. Rehrig stated he did not want it to appear that the Stewardship Fund is in any way in competition with the abutters, and also clarified that the Stewardship Fund would not be available to mitigate any other issues that the abutters might bring up.

Ms. Kowalski asked Mr. Rehrig for an update and status report on the management plan and conservation land. Mr. Rehrig stated that the annual report from Arlington 360 has come in. There is some good work, and some things that need improvement. Arlington 360 has presented a mitigation plan for the invasives that have sprouted on a part of the site that the Land Trust feels is adequate. On the other hand, a key piece of the management plan and the annual report is the review by a certified arborist on the conditions of the site and the arborist's input on what needs to be done in the coming year; overall the Land Trust and Arlington 360 has been dissatisfied with the arborist and the information provided by the arborist at this point.

Mr. Rehrig stated that there are a few other issues with the conditions on this site and how to deal with the potential change of ownership with the property. Those are of particular concern to Arlington Land Trust because we want to be sure that this annual report sets the model for what happens next with new owners. There are certain corrections that need to be done to the site, some of those obligations will remain open during the transition and need to provide an estoppel as well. One of those issues is with Shelter and the restoration of the trailer site; there are a few things that weren't done to plan or plantings that failed, for instance. Arlington Land Trust will ask them to re-structure and add some information to the annual report.

Mr. Cayer asked if the Board still has escrowed funds. Mr. Upton confirmed and stated that the management plan will outline everything that they hope to get done in the next year.

Mr. Fitzsimmons referenced Jennifer Ryan's letter dated December 17, 2014 and wanted to confirm that considerable progress has been made, and the dialogue is continuing. Mr. Rehrig confirmed.

Mr. Rehrig brought up that one of the tasks that needed to be performed was marking the boundaries as a way to identify conservation land. There are many areas where conservation land gives the appearance of being part of someone's backyard. As of now, the markers have been installed but the Land Trust has not yet confirmed that they are adequate.

Mr. West asked if these stakes were permanent. Mr. Upton said the markers themselves are on stakes.

Mr. Rehrig mentioned that the metal signs need to be sufficiently permanent, not just on a stake. Ms. Kowalski agreed.

Mr. Bunnell turned the agenda item of the Affordable Housing Estoppel Certificates and turned to Ms. Kowalski for details.

Ms. Kowalski said that Arlington 360 has asked the Board to sign two estoppel certificates, one for middle income units and one for the low and moderate income agreements. There are no known issues in regards to regulated rents, and the Board has been provided with rent details and they appear to be in compliance. Ms. Kowalski stated that she doesn't feel that the Board should have any hesitation with signing off on the certificates.

Mr. Fitzsimmons stated he reviewed the estoppel certificates and the chart and verified that the computations of maximum rent are in accordance with the formula.

Mr. Cayer said that the document should have the residents' names redacted from the public document. The Board members agreed.

Mr. Fitzsimmons moved to authorize the acting Chair to execute the estoppel certificates with respect to low and moderate income regulatory agreements but with only the first chart attached and not the chart that lists specific names. Mr. Cayer seconded. All voted in favor.

The Board moved to the next agenda item of Master Plan Public Hearing Preparation.

Ms. Kowalski said that the most current draft is dated January 2015. It incorporates some of the comments and input received by December 4, 2014. Ms. Kowalski summarized the recommendations that were added or removed, along with items that have a recommendation of needing to be studied further. Ms. Kowalski said that her department is currently determining how well this draft meets the gaps that they observed in the first draft. It was also noted that the plan does not talk enough about encouraging bicycle use in Arlington; bicycle parking needs to be added to this updated plan. At the public hearing there will be time to present the plan, the revisions, and take public comment.

Mr. Cayer asked if there was a time limit on speakers for the public hearings. Mr. Fitzsimmons replied that the time limit is 10 minutes, but it could be determined to be shorter. Mr. Fitzsimmons stated that the Board could also encourage speakers to say "I endorse the opinion of the previous speaker" instead of using the full time to reiterate the same points.

Mr. Cayer stressed the importance of revisiting the recommendations in the new draft versus the previous draft.

The Board turned to the agenda item of the Warrant Article Discussions. Ms. Kowalski stated that there is a warrant article to ask Town Meeting to consider endorsing the Master Plan. The Board does not need to finalize the language tonight, but should start thinking about revisions that might need to be made.

Mr. Cayer asked if Town Counsel has taken a look at the language yet. Ms. Kowalski made note of that suggestion.

Ms. Kowalski said there might be a second warrant article regarding notices that are not advertising signs. Technically signs that are not on a store and don't identify a commercial or established business are not allowed. This would permit signs such as yard sale signs or sports sponsorship signs. It would entail amending the Zoning By-Law simply to get that of the sign section out of the Zoning By-Law and into the General By-Law.

The Board moved to the agenda item of Central School Leasing. Ms. Kowalski summarized the proposals that came in for the two offices in the Central School, and 23 Maple Street. Ms. Kowalski stated that draft leases will be prepared shortly.

The Board turned to the agenda item of Chair and Vice Chair Discussion. Mr. Bunnell explained Ms. Scypinski has resigned from the Board, which leaves her seat open.

Mr. Fitzsimmons moved to nominate Mr. Bunnell as Chairman of the Redevelopment Board. Mr. Bunnell accepted. Mr. Cayer seconded. All voted in favor.

Mr. Cayer moved to nominate Mr. West as Vice Chair of the Redevelopment Board. Mr. Fitzsimmons seconded. All voted in favor.

The Board discussed their upcoming meeting schedule for 2015.

Ms. Kowalski reminded the Board that they are not obligated to act and adopt the plan on January 12, 2015. The Board should be prepared to tell the public what day they would plan on voting if they do not plan to vote on January 12, 2015.

The Board moved on to the approval of minutes from the December 15, 2014 Redevelopment Board meeting.

Mr. Cayer moved to approve the meeting minutes from December 15, 2014. Mr. West seconded. All voted in favor.

Ms. Kowalski asked for clarification on why the Board chose to recess and reconvene during the December 15, 2014 meeting, rather than adjourning and then relocating to the second location. Mr. Fitzsimmons explained that method of reconvening was suggested on the advice of Town Counsel many years prior. If the Board had adjourned prior to changing locations, they would not be allowed to meet together until another public notice was posted for the public.

Mr. Cayer moved to adjourn at 8:21pm. Mr. Fitzsimmons seconded. All voted in favor.